

Annexure-B

Date: 14.07.2022

Report of Investigation of Title in respect of immovable Property

1.	a.	Name of the Branch/ Business Unit/Office seeking opinion.	State Bank of India, SME Branch, Dehradun
	b.	Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	-
	c.	Name of the Borrower.	Agro Herbal Extraction Pvt. Ltd.
2.	a.	Type of Loan	-
	b.	Type of property	Residential
3.	a.	Name of the unit/concern/ company/person offering the property/ (ies) as security.	Shri Chandramani Sharma son of Shri Birbal Sharma.
	b.	Constitution of the unit/concern/ person/body/authority offering the property for creation of charge.	Individual
	c.	State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	Borrower
4.	a.	Value of Loan (Rs. in crores)	-
5.		Complete or full description of the immovable property (ies) offered as security including the following details.	All that part of property no. 74 Salawala, Pargana Centraldoon, District Dehradun open land area 188.19 sq. meter or 2025 sq. feet alongwith construction thereon
	a.	Survey No.	Property no. 74
	b.	Door/House no. ( in case of house property)	-
	c.	Extent/ area including plinth/ built up area in case of house property	Total land area 188.19 sq. meter along with construction thereon
	d.	Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	Mauza- Salawala, Dehradun bounded and butted as under: NORTH: Property of Shri Y.P. Sharma, side measuring 45 feet. SOUTH: Property of seller, side measuring 45 feet. EAST: 16 feet wide pakki road, side measuring 45 feet.

  
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				WEST: Property of seller, side measuring 45 feet.
a)	Particulars of the documents scrutinized- serially and chronologically.			1- Sale Deed dated 24.12.1985. 2- Agreement to sale dated 02.07.1985. 3- Sanctioned map dated 02.11.1989.
b)	Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified. <b>Note :</b> Only originals or certified extracts from the registering/land/ revenue/ other authorities be examined.			
Sl. No.	Date	Name/ Nature of the Document	Original/ certified copy/ certified extract/ photocopy, etc.	In case of copies, whether the original was scrutinized by the advocate.
1.	24.12.1985	Sale Deed serial no. 9968	Original	
2-	02.07.1985	Sale Agreement serial no. 5154	Original	
3-	02.11.1989	Sanctioned map	Copy	
4-		Tax receipt	Copy	
7.	a)	Whether certified copy of all title documents are obtained from the relevant sub-registrar office and compared with the documents made available by the proposed mortgagor? (Please also enclose all such certified copies and relevant fee receipts along with the TIR.)(HL : If the value of loan => Rs.1 crore and in case of commercial loans irrespective of the loan component)		Duly verified with the relevant sub registrar office.
	b)	Whether all pages in the certified copies of title documents which are obtained directly from Sub-Registrar's office have been verified page by page with the original documents submitted? (In case originals title deed is not produced for comparing with the certified or ordinary copies, the matter should be handled more diligently & cautiously).		N.A.

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	Whether the records of registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system?	Part of the records are available for verification.
	b. If such online/computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.	Records are verified or cross check by me and its o.k.
	c. Whether the genuineness of the stamp paper is Possible to be got verified from any online portal and if so whether such verification was made?	Not possible.
	d. Whether proper registration of documents completed. Details thereof to be provided.	Yes
9.	a. Property offered as security falls within the jurisdiction of which sub-registrar office?	Sub Registrar Office, Dehradun
	b. Whether it is possible to have registration of documents in respect of the property in question, at more than one office of sub-registrar/ district registrar/ registrar- general. If so, please name all such offices?	No.
	c. Whether search has been made at all the offices named at (b) above?	Yes
	d. Whether the searches in the offices of registering authorities or any other records reveal registration of multiple title documents in respect of the property in question?	No
10.	<p>a. Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the current title holder. And wherever Minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title.</p> <p><b>In case of property offered as security for loans of Rs.1.00 crore and above, search of title/ encumbrances for a period of not less than 30 years is mandatory. (Separate Sheets may be used)</b></p> <p>This is to certify that I have thoroughly searched and inspected the records available in the office of the Sub Registrar, Dehradun from the year 1992 upto 14.07.2022 in respect of <b>All that part of property no. 74 Salawala, Pargana Centraldoon, District Dehradun land area 188.19 sq. meter or 2025 sq. feet along with construction thereon</b> (morefully described in the Schedule of property) given at the foot of this certificate. The said property standing in the name of <b>Shri Chandramani Sharma son of Shri Birbal Sharma resident of Village Badkali District Muzaffarnagar presently residing at 312 Dobhalwala, Dehradun.</b></p> <p>Previously <b>Shri Chandramani Sharma son of Shri Birbal Sharma</b> purchased the above said property of land from Smt. Kishan Dei wife of Shri Kanat Thekedar and others vide sale deed dated 20.12.1985 duly registered in the office of the sub registrar, Dehradun in book no. 1 volume 2498 pages 346 to 350 and in additional file book no. 1 volume 2495 pages 39 to 40 registered at serial no. 9968 dated 24.12.1985 and a agreement to sale was also executed between the parties on 03.06.1985 duly registered in the office of the sub registrar, Dehradun in book no. 1 volume 2434 pages 7 to 9 registered at serial no. 5154 dated 02.07.1985.</p>	

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Whereas the name of Shri Chandramani Sharma son of Shri Birbal Sharma duly mutated in the municipal records.

Whereas Shri Chandramani Sharma son of Shri Birbal Sharma got a map sanctioned from MDDA, Dehradun and constructed a house over the said land.

So on perusal of record and inspection made in the office of the Sub Registrar, Dehradun and revenue records do hereby certify that the said property is free from all sort of encumbrances etc. and Shri Chandramani Sharma son of Shri Birbal Sharma holding a clear and marketable title without absolute transferable rights over the said property.

Provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 are applicable to the present property.

b	Wherever Minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title. In case of property offered as security for loans of Rs.1.00 crore and above, search of title/ encumbrances for a period of not less than 30 years is mandatory. (Separate Sheets maybe used)	N.A.
c	Nature of Minor's interest, if any and if so, whether creation of mortgage could be possible, the modalities/procedure to be followed including court permission to be obtained and the reasons for coming to such conclusion.	N.A.
11. a.	Nature of Title of the intended Mortgagor over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder or Govt. Grantee/ Allottee etc.)	Absolute owners and full ownership rights over the said property.
	If Ownership Rights,	Yes
a.	Details of the Conveyance Documents	Sale Deed.
b.	Whether the document is properly stamped.	Yes
c.	Whether the document is properly registered.	Yes
	If leasehold, whether;	No
a.	lease Deed is duly stamped and registered	N.A.
b.	lessee is permitted to mortgage the Leasehold right,	N.A.
c.	duration of the Lease/unexpired period of lease,	N.A.
d.	if, a sub-lease, check the lease deed in favour of Lessee as to whether Lease deed permits sub-leasing and mortgage by Sub-Lessee also.	N.A.
e.	Whether the leasehold rights permits for the creation of any superstructure (if applicable)?	N.A.
f.	Right to get renewal of the leasehold rights and nature thereof.	N.A.

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	Govt. grant/ allotment/Lease-cum/Sale Agreement, whether;	N.A.
	grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions?	N.A.
	b the mortgagor is competent to create charge on such property?	N.A.
	c any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available?	N.A.
	If occupancy right, whether;	N.A.
	a Such right is heritable and transferable,	N.A.
	b Mortgage can be created.	N.A.
12.	Has the property been transferred by way of Gift/Settlement Deed	N.A.
	a The Gift/Settlement Deed is duly stamped and registered;	N.A.
	b The Gift/Settlement Deed has been attested by two witnesses;	N.A.
	c The Gift/Settlement Deed transfers the property to Donee;	N.A.
	d Whether there is any restriction on the Donor in executing the gift/settlement deed in question?	N.A.
	e Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by actions?	N.A.
	f Whether there is any restriction on the Donor in executing the gift/settlement deed in question?	N.A.
	g Whether the Donee is in possession of the gifted property?	N.A.
	h Whether any life interest is reserved for the Donor or any other person and whether there is a need for any other person to join the creation of mortgage;	N.A.
	i Any other aspect affecting the validity of the title passed through the gift/settlement deed.	N.A.
13.	Has the property transferred by way of partition/family settlement deeds,	N.A.
	a whether the original deed is available for deposit. If not the modality/procedure to be followed to create a valid and enforceable mortgage.	
	b Whether mutation has been effected	N.A.
	c whether the mortgagor is in possession and enjoyment of his share.	
	d Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon.	N.A.
	e In respect of partition by a decree of court, whether	N.A.

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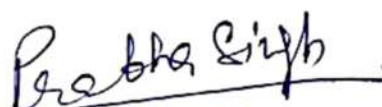
		such decree has become final and all other conditions/ formalities are completed/ complied with.	
	f	Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages?	N.A.
14.		Whether the title documents include any testamentary documents /wills?	N.A.
	a	In case of wills, whether the will is registered will or unregistered will?	N.A.
	b	Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	N.A.
	c	Whether the property is mutated on the basis of will?	N.A.
	d	Whether the original will is available?	N.A.
	e	Whether the original death certificate of the testator is available?	N.A.
	f	What are the circumstances and/or documents to establish the will in question is the last and final will of the testator?	N.A.
	g	Comments on the circumstances such as the availability of a declaration by all the beneficiaries about the genuineness/ validity of the will, all parties have acted upon the will, etc., which are relevant to rely on the will, availability of Mother/Original title deeds are to be explained.	N.A.
15.		Whether the property is subject to any wakf rights?	No
	a	Whether the property belongs to church/ temple or any religious/other institutions having any restriction in creation of charges on such properties?	No
	b	Precautions/ permissions, if any in respect of the above cases for creation of mortgage?	N.A.
16.	a.	Where the property is a HUF/joint family property,	No
	b.	mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection/join in execution, minor's share if any, rights of female members etc.	N.A.
	c.	Please also comment on any other aspect which may adversely affect the validity of security in such cases?	N.A.



		Whether the property belongs to any trust or is subject to the rights of any trust?	No
	c.	Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property?	N.A.
	d.	If YES, additional precautions/permissions to be obtained for creation of valid mortgage?	No -
	f.	Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter.	N.A.
18.		If the property is Agricultural land,	Not agricultural property.
	a	whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation/enforcement of mortgage?	N.A.
	b	In case of agricultural property other relevant records/documents as per local laws, if any are to be verified to ensure the validity of the title and right to enforce the mortgage?	N.A.
	c	In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/permission obtained?	Industrial
19.	a	Whether the property is affected by any local laws or other regulations having a bearing on the creation security (viz. Agricultural Laws, weaker Sections, minorities, Land Laws, SEZ regulations, Coastal Zone Regulations, Environmental Clearance, etc.)?	Not affected
	b	Additional aspects relevant for investigation of title as per local laws.	N.A.
20.	a	Whether the property is subject to any pending or proposed land acquisition proceedings?	No
	b	Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry?	Oral enquiry was made no proceeding found.
21.	a	Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No
	b	If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?	No
		Whether the title documents have any court seal/ marking which points out any litigation/ attachment/security to court in respect of the property in question? In such case please	No

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		comment on such seal/markings?	
	a	In case of partnership firm, whether the property belongs to the firm and the deed is properly registered?	N.A.
	b	Property belonging to partners, whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable laws?	N.A.
	c	Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm?	N.A.
23.	a	Whether the property belongs to a Limited Company, check the Borrowing powers, Board resolution, authorisation to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association /provision for common seal etc.	No
	b/1	Whether the property (to be mortgaged) is purchased by the above Company from any other Company or Limited Liability Partnership (LLP) firm? Yes / No.	N.A.
	b/2	If yes, whether the search of charges of the property (to be mortgaged) has been carried out with Registrar of Companies (RoC) in respect of such vendor company / LLP (seller) and the vendee company (purchaser)?	N.A.
	b/3	Whether the above search of charges reveals any prior charges/encumbrances, on the property (proposed to be mortgaged) created by the vendor company (seller)? Yes / No.	N.A.
	b/4	If the search reveals encumbrances / charges, whether such charges/encumbrances have been satisfied? Yes/No	N.A.
24.		In case of Societies, Association, the required authority/power to borrower and whether the mortgage can be created, and the requisite resolutions, bye-laws.	N.A.
25.	a	Whether any POA is involved in the chain of title during the period of search?	No
	b	Whether the POA involved is one coupled with interest, i.e. a Development Agreement-cum-Power of Attorney. If so, please clarify whether the same is a registered document and hence it has created an interest in favour of the builder/developer and as such is irrevocable as per law.	No.

  
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		In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/ Firms/Individual or Proprietary Concerns in favour of their Partners/ Employees/ Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deeds, etc. in favour of buyers of flats/units (Builder's POA) or (ii) other type of POA (Common POA).	N.A.
	d	In case of Builder's POA, whether a certified copy of POA is available and the same has been verified/ compared with the original POA.	No
	e	In case of Common POA (i.e. POA other than Builder's POA), please clarify the following clauses in respect of POA.	-
	i	Whether the original POA is verified and the title investigation is done on the basis of original POA?	N.A.
	ii	Whether the POA is a registered one?	N.A.
	iii	Whether the POA is a special or general one?	N.A.
	iv	Whether the POA contains a specific authority for execution of title document in question?	N.A.
	f	Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?)	N.A.
	g	Please comment on the genuineness of POA?	N.A.
	h	The unequivocal opinion on the enforceability and validity of the POA.	N.A.
26.		Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the same is properly executed/ stamped/ authenticated in terms of the Law of the place, where it is executed.	No
27.	1	If the property is a flat/apartment or residential/commercial complex	No
	a	Promoter's/Land building;	N.A.
	b	Development Agreement/Power of Attorney;	N.A.
	c	Extent of authority of the Developer/builder;	N.A.
	d	Independent title verification of the Land and/or building in question;	N.A.
	e	Agreement for sale (duly registered);	N.A.
	f	Payment of proper stamp duty;	N.A.
	g	Requirement of registration of sale agreement, development agreement, POA, etc.;	N.A.

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		if not paid, what remedy?	
	a	Urban land ceiling clearance, whether required and if so, details thereon.	The said act is repealed in U.K.
	b	Whether No Objection Certificate under the Income Tax Act is required/ obtained?	Not required take affidavit regarding the same.
32.	a	Details of RTC extracts/mutation extracts/ Katha extract pertaining to the property in question.	-
	b	Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records?	Yes in the municipal records.
33.	a	Whether the property offered as security is clearly demarcated?	Yes
	b	Whether the demarcation/ partition of the property is legally valid?	Yes
	c	Whether the property has clear access as per documents? (The property should be legally accessible through normal carriers to transport goods to factories / houses, as the case may be).	Yes
34.		Whether the property can be identified from the following documents, and discrepancy/doubtful circumstances, if any revealed on such scrutiny?	Yes
	a)	Document in relation to electricity connection;	-
	b)	Document in relation to water connection;	-
	c)	Document in relation to Sales Tax Registration, if any applicable;	No
	d)	Other utility bills, if any.	-
	b	Discrepancy/doubtful circumstances, if any revealed on such scrutiny?	
35.	a	Whether the valuation report and/or approved/ sanctioned plans are made available, please comment on the same including the comments on the description and boundaries of the property on the said document and that in the title deeds. (If the valuation report and/or approved plan are not available at the time of preparation of TIR, please provide these comments subsequently, on making the same available to the advocate.)	Valuation or any other report not available.
36.	a	Whether the Bank will be able to enforce SARFAESI Act, if required against the property offered as security?	Yes
	b	Property is SARFAESI compliant (Y/N)	Yes
37.	a	Whether original title deeds are available for creation of equitable mortgage	Yes

	in case of absence of original title deeds, details of legal and other requirements for creation of a proper, valid and enforceable mortgage by deposit of certified extracts duly certified etc., as also any precaution to be taken by the Bank in this regard.	N.A.
38.	Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security.	Bank must Take original sale deed.
39.	The specific persons who are required to create mortgage/to deposit documents creating mortgage.	Shri Chandramani Sharma son of Shri Birbal Sharma

Date: 14.07.2022

Place: Dehradun

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Signature of the Advocate

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Ch. No.-7, Court Compound, D.Dun



**Annexure - C: Certificate of title**

I have examined the Original Title Deeds intended to be deposited relating to the schedule property/(ies) and offered as security by way of **Equitable Mortgage** (\*please specify the kind of mortgage) and that the documents of title referred to in the Opinion are valid evidence of Right, title and Interest and that if the said Registered/ Equitable Mortgage is created, it will satisfy the requirements of creation of Equitable Mortgage and I further certify that:

2. I have examined the Documents in detail, taking into account all the Guidelines in the check list vide Annexure B and the other relevant factors.

3. I confirm having made a search in the Land/ Revenue records. I also confirm having verified and checked the records of the relevant Government Offices,/Sub-Registrar(s) Office(s), Revenue Records, Municipal/ Panchayat Office, Land Acquisition Office, Registrar of Companies Office, Wakf Board (wherever applicable). I do not find anything adverse which would prevent the Title Holders from creating a valid Mortgage.

I am liable /responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search.

4. Following scrutiny of Land Records/ Revenue Records, relative Title Deeds, certified copies of such title deeds obtained from the concerned registrar office and encumbrance certificate (EC), I hereby certify the genuineness of the Title Deeds.,Suspicious/ Doubt, if any, has been clarified by making necessary enquiries.

5. There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from 1992 to 14.07.2022 pertaining to the Immovable Property/(ies) covered by above said Title Deeds. The said property is free from all incumbencies.

6. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank (Delete, whichever is inapplicable).

7. Minor/(s) and his/ their interest in the property/(ies) is to the extent of \_\_\_N.A.\_\_\_ (Specify the share of the Minor with Name). (Strike out if not applicable).

8. The Mortgage if created, will be available to the Bank for the Liability of the Intending Borrower Shri Chandramani Sharma son of Shri Birbal Sharma.

9. I certify that Shri Chandramani Sharma son of Shri Birbal Sharma has / have an absolute, clear and Marketable title over the Schedule property/ (ies). I further certify that the above title deeds are genuine and a valid mortgage can be created and the said Mortgage would be enforceable.

10. In case of creation of Mortgage by Deposit of title deeds, we certify that the deposit of following title deeds/ documents would create a valid and enforceable mortgage:

1- Original sale deed dated 24.12.1985 registered at serial no. 9968.

2- Original sale agreement dated 02.07.1985 registered at serial no. 5154.

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- 11- There are no legal impediments for creation of the Mortgage under any applicable Law/ Rules in force.
12. It is certified that the property is SARFAESI compliant.

**SCHEDULE OF THE PROPERTY (IES)**

All that part of property no. 74 Salawala, Pargana Centraldoon, District Dehradun open land area 188.19 sq. meter or 2025 sq. feet alongwith construction thereon bounded and butted as under:

NORTH: Property of Shri Y.P. Sharma, side measuring 45 feet.

SOUTH: Property of seller, side measuring 45 feet.

EAST: 16 feet wide pakki road, side measuring 45 feet.

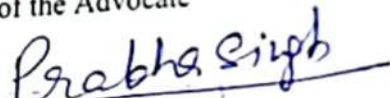
WEST: Property of seller, side measuring 45 feet. Place : Dehradun

Date : 14.07.2022

Enclosure :

1. Certified Copy of Sale Deed dated 24.12.1985
2. Certified Copy of Sale agreement dated 02.07.1985.
3. Copy of sanctioned map
4. Search receipt.

Signature of the Advocate

  
**PRABHA SINGH**

(Advocate)

Reg. No.-UA 2324/04

Ch. No.-7, Court Compound, D.Dun



(प्रस्तुतकर्ता अथवा प्रार्थी द्वारा रखा जाने वाला) (भाग-1)

प्रार्थी का नाम PRABHA SINGH ADV 14-Jul-2022 क्रम संख्या 201 / 19

मुआयना 31 वर्ष

ल की धनराशि

रजिस्ट्रीकरण शुल्क

प्रतिलिपि करण शुल्क

3 इलैक्ट्रानिक शुल्क

4 निरीक्षण या तलाश शुल्क

5 मुख्तारनामा के अभिप्रणालोकरण के लिए शुल्क

6 कमीशन शुल्क

7 नकल शुल्क

8 विविध

9 यात्रिक भत्ता

10 कम रजिस्ट्रीकरण शुल्क

11 योग

शुल्क वसूल करने की दिनांक 14-Jul-2022

105.00

Application No 12,392

( 1,992 - 2,022 )

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर उपनिबंधक, देहरादून, प्रथम

रख रजिस्ट्रार (प्रथम)  
देहरादून